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LETTER DATED 27 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF HAITI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith a letter dated 22 October 1998 addressed to you by René Préval, President of the Republic of Haiti, concerning the United Nations Civilian Police Mission in Haiti (MIPONUH) (see annex).

I should be grateful if you would have the text of this letter and its annex distributed as a document of the Security Council.

(Signed) Pierre LELONG
Ambassador
Permanent Representative

Annex

Letter dated 22 October 1998 from the President of Haiti addressed to the Secretary-General

On 28 November 1997, the Security Council, following my request of 29 October 1997, adopted resolution 1141 (1997) creating the United Nations Civilian Police Mission in Haiti (MIPONUH). The specific purpose of this Mission was to assist the Government of Haiti by contributing to the professionalism of the National Police, and it had a mandate of one year, which ends on 30 November 1998.

Remarkable progress has been made by the National Police, thanks to the support which it has received from the United Nations missions in Haiti. However, essential matters have still to be addressed. As stated in your report of 24 August 1998, "the development of an effective police force is a complex and lengthy task and is a fundamental part of the democratic process" (S/1998/796, para. 33).

Accordingly, I should like to request the United Nations to continue to cooperate with Haiti in order to strengthen the National Police. The form of this cooperation and the measures to be taken can be discussed by the specialized organs of the United Nations and Haiti.

(Signed) René PRÉVAL

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FINAL REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS POLICE SUPPORT GROUP

I. INTRODUCTION

1. The present report provides an assessment of the situation in the Danube region of Croatia ("the region") since the submission of my last report on 23 September 1998 (S/1998/887).

II. COMPLETION OF THE POLICE SUPPORT GROUP'S MANDATE

2. The mandate of the Police Support Group, established by the Security Council in its resolution 1145 (1997) of 19 December 1997, has been fully completed and came to an end on 15 October 1998. The Organization for Security and Cooperation in Europe (OSCE) took over the police monitoring responsibilities on the following day. The transition was seamless and 118 OSCE police monitors have been deployed in all local police stations previously staffed by the Police Support Group. Sixty of those police monitors have served previously with the United Nations. The Ministry of the Interior of Croatia has confirmed to OSCE that its police monitors will enjoy the same access to police stations, documents and police operations, including investigations and checkpoints, as the Police Support Group operation.

III. SITUATION IN THE REGION

3. The overall security situation in the region remains satisfactory, although there continues to be a worrying trend of ethnically motivated incidents. Police performance has improved notably since the beginning of the Police Support Group's mandate and the Government has taken steps to ensure that this continues. Such steps include full respect by the Government for the commitments related to the local police outlined in its letter of 13 January 1997 (S/1997/27, annex) and the maintenance of proportional Serb representation, including at senior positions, in the police force. Further steps could include continuing action to increase the level of professional training of the police in the region and the provision of greater support for the judicial system to overcome the substantial case backlog and improve the transparency of its operations.

4. Measures should also be taken to enhance public confidence in the police force through an active public information campaign, police preventive action and the institution of a community policing programme to enhance the links between the police force and the community that it serves, as called for by the Security Council in its presidential statement of 2 July 1998 (S/PRST/1998/19). Without such steps, improvements in police performance will remain imperceptible to the communities in the region and therefore do little to enhance the sense of security felt by residents. The perception of a lack of security is one of the main reasons contributing to the continuing departures of Serbs from the region.

5. Returns to Croatia, under the auspices of the "Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons" (S/1998/589) ("the return programme"), have continued, albeit slowly. While the return programme contains most of the elements needed to facilitate nationwide returns, it has yet to be implemented fully. So far, most returnees from the Federal Republic of Yugoslavia have been elderly individuals reuniting with other family members or returning to inhabitable houses. There has been no progress in the restitution of property to Croatian citizens of Serb ethnicity. The number of Croat displaced persons returning to the region is below all expectations, despite a surplus of available reconstructed housing in the region. The main impediment to return is the lack of employment in the area.

6. For the return programme to gather momentum, a number of outstanding issues must be addressed. The Government should harmonize legislation with the provisions of the programme to enable its non-discriminatory implementation. Areas where such action is essential include, for example, the Act on the Status of Displaced Persons and Refugees and the Law on Reconstruction. Steps should be taken to ensure that all housing commissions function effectively. Access to reconstruction funding should be equally available to all. Rights to socially owned apartments should be restored; without this, there will be few returns by displaced persons to their former urban homes. All returnees should have access to information, particularly about housing, to enable them to make an informed choice. Impediments to the acquisition of the documents needed for returnee status and benefits should be removed. Doubts about security in areas of return should also be alleviated, including by more effective policing and the opening of additional police stations. In the absence of those steps, the return programme may falter in the coming months.

7. Economic revitalization and reconstruction in the region and other war-affected areas are important elements in creating an environment supportive of sustainable and durable returns. To that end, the United Nations, through the United Nations Development Programme (UNDP), has continued to provide support to the Government's efforts to develop and implement a national reconstruction plan. The Government has recently adopted a plan incorporating the suggestions of the international community. The full and non-discriminatory implementation of that plan will underpin the return programme and encourage donor support.

8. The Joint Council of Municipalities, established under the basic agreement on the region of Eastern Slavonia, Baranja and Western Sirmium (S/1995/951, annex), is on the brink of collapse. The situation has shown no improvement since my report of 23 September 1998 (S/1998/887). Members of the Joint Council

represent all Serb ethnic communities in the region. The failure to make progress on that issue is undermining local confidence in the continued implementation of the commitments made by the Government of Croatia.

9. As noted in my report of 23 September 1998 (S/1998/887, para. 25), the Government has yet to issue the necessary instructions to implement fully the provisions of the law on convalidation. The continued failure to do so is having a significant negative effect as employees who would otherwise be eligible for pensions and other social security benefits are unable to obtain them.

10. The reconciliation programme ("The Programme for the Establishment of Trust, Accelerated Return and Normalization of Living Conditions in the War-Affected Regions of the Republic of Croatia (S/1997/772)), initiated by the Government on 9 October 1997, was intended to promote reconciliation throughout the country, with specific reference to the media, education and religion. However, the plan is not being implemented. Without reconciliation, the progress made so far in returns may prove only temporary, while the causes of ethnic incidents throughout the country remain unaddressed. That will continue to undermine the prospects for maintaining multi-ethnicity. I urge the Government to recommit itself fully to the national reconciliation process.

IV. OBSERVATIONS

11. The liquidation of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) has been completed and the liquidation of the Police Support Group is expected to be completed by 15 December 1998.

12. The conclusion of the Police Support Group's mandate marks the positive outcome of the use of civilian police personnel to ensure the consolidation of peace after the withdrawal of a much larger operation. In fulfilling its mandate, the Police Support Group helped to prevent the return of instability to the region. It proved to be a cost-effective instrument in helping to maintain conditions conducive to an orderly hand-over to OSCE pending the ultimate transfer of full responsibilities to the national authorities.

13. In conclusion, I would like to record my appreciation to my Representative, Souren Seraydarian, as well as the Police Commissioner, Halvor Hartz, and all the men and women of the Police Support Group for their dedication and perseverance in carrying out the tasks entrusted to them by the Security Council.

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LETTER DATED 27 OCTOBER 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 26 October 1998 from Mr. Mohammed Said Al-Sahhaf, Minister for Foreign Affairs of Iraq, calling attention to the continuing poor performance of United Nations agencies in implementing that part of the oil-for-food programme that relates to Iraq's three northern governorates (Irbil, Dohuk and Sulaymaniyah) and urging you to prevail upon the agencies in question to improve their performance, given that this situation can no longer be tolerated.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 26 October 1998 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to our letter dated 23 July 1998 (S/1998/689, annex), in which we communicated to you the comments of the Government of Iraq on the poor performance of the United Nations agencies in implementing those parts of the procurement and distribution plans for phases I, II and III that related to the country's three northern governorates, namely Irbil, Dohuk and Sulaymaniyah. I regret to have to inform you once again that, despite the promises that steps would be taken to improve the agencies' performance and despite the many meetings held by the Executive Director of the Iraq Programme with the directors of the offices maintained by the executing agencies in the governorates in question during his visit to Iraq from 22 June to 3 July 1998, there has been no notable change in the standard of performance and no increase in rates of implementation.

We have studied your periodic report on the first 90 days of phase IV, submitted to the Security Council on 1 September 1998 pursuant to paragraph 10 of resolution 1153 (1998) (S/1998/823), and, in particular, its part IV, section B, entitled "Programme implementation in Dahuk, Erbil and Sulaymaniyah". The figures and statistics given on the rates of implementation achieved for those parts of the procurement and distribution plans that relate to the three northern governorates only confirm the comments that we made in our aforementioned letter and have discussed on various occasions with you, with representatives of the Iraq Programme in the Secretariat and with the officials of the agencies themselves.

In order to clarify the picture with respect to the situation of implementation in the three northern governorates, the rates of implementation achieved by the agencies there, by sector, over the 22 months and more of all three phases thus far and as given in your aforesaid report, are set out hereunder.

Medical equipment and supplies	38 per cent
Water and sanitation facilities	26 per cent
Electricity	2 per cent
Agriculture	34 per cent
Education	20 per cent
Rehabilitation of settlements	20 per cent
Mine clearance	68 per cent

Rates of implementation for phase IV, which has already been under way for more than four months, are not given in your report. The rates reported by the United Nations agencies themselves are as follows:

Medical equipment and supplies	0 per cent
Water and sanitation facilities	0 per cent
Electricity	0 per cent
Agriculture	0 per cent
Education	0 per cent
Rehabilitation of settlements	3.7 per cent
Mine clearance	0 per cent

The level of implementation for phase IV in general is thus 0.1 per cent.

Not only do these embarrassing figures for rates of implementation prompt concern but they also raise many serious questions concerning the ability of the United Nations agencies to continue to implement a programme on this scale despite the availability of all the financial resources for which provision is made in resolution 1153 (1998) and previous resolutions, despite the mobilization of hundreds of international and local personnel and despite the preferential treatment given by the Security Council Committee established by resolution 661 (1990) to the processing of contracts submitted by the agencies, which have not been obstructed, delayed or placed on hold throughout the period in question. This situation has led to cases of misuse of Iraqi funds allocated to the three northern governorates and has caused the programme to fail to achieve its declared objective of mitigating the suffering of our people in these governorates.

In bringing all of these facts to your attention, the Government of Iraq urges you once more, in the light of your direct responsibility under the provisions of the memorandum of understanding, to take all necessary measures to prevail upon the United Nations agencies to improve their performance and step up the pace of implementation of the procurement and distribution plans in such a way as to ensure sound, effective and rapid execution and to take due account of the declared humanitarian objectives of the oil-for-food programme, given that the present situation can no longer be tolerated.

As I await whatever measures you may take, I request you to have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs of Iraq

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Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-third year

Letter dated 26 October 1998 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 23 October 1998, I have the honour to draw your attention to new violations of the national airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, recorded on 23, 24, 25 and 26 October 1998.

On 23 October, 14 military aircraft of the Turkish Air Force (6 F-16 and 8 F-4) entered the Nicosia flight information region, violating international air traffic regulations.

On 24 October, 20 Turkish military aircraft (10 F-16, 8 F-4 and 2 RF-4) entered the Nicosia flight information region, violating international air traffic regulations. The two RF-4 violated the national airspace of the Republic of Cyprus, flying over the areas of the Cape of Kormakitis and Karpasia.

On 25 October, 50 Turkish military aircraft (38 F-16, 8 F-4, 2 CN-235 and 2 KC-135) entered the Nicosia flight information region, violating international air traffic regulations. Fourteen F-16 and four F-4 aircraft violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting in a south-easterly direction. Two F-16 and two CN-235 aircraft violated the national airspace of the Republic of Cyprus, flying over the areas south of Paphos and the Cape of Apostle Andreas, respectively. The two KC-135 and eight F-16 exited in a south-easterly direction.

On 26 October, 31 Turkish military aircraft (18 F-16, 8 F-4, 2 CN-235 and 3 KC-135) entered the Nicosia flight information region, violating international air traffic regulations. Sixteen F-16 and four F-4 aircraft violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia

before exiting in a south-easterly direction. Two F-16 and two CN-235 violated the national airspace of the Republic of Cyprus, flying over the areas south of Paphos and the Cape of Apostle Andreas, respectively. The two KC-135 and four F-4 exited in a south-easterly direction.

As stated in my previous letters, such unauthorized intrusions into the Nicosia flight information region and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, are in contravention of the provisions of the Security Council resolutions on Cyprus, which state that such overflights increase tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey against the sovereignty and territorial integrity of the Republic of Cyprus. The frequency, intensity and large number of aircraft involved in the above violations are a further reminder of Turkey's offensive disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus. Furthermore, these continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island, constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative